

**GARDNER LAW OFFICES**

**William S. Gardner**  
Managing Attorney  
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**O. Max Gardner III**  
Of Counsel  
Telephone: (704) 487-0616  
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**AGREEMENT BETWEEN COUNSEL AND DEBTOR CONCERNING  
CREDITOR ACCOUNT NUMBERS AND SOCIAL SECURITY NUMBERS**

The undersigned debtor hereby authorizes the Gardner Law Offices, William S. Gardner and any officer, agent, or employee thereof to use my full account identification number and my Federal Social Security number when available in the preparation of my bankruptcy petition and schedules and in any form of communication, whether written or electronic, for all of my credit accounts to insure that all creditors, and all officers, agents, employees, and attorneys thereof, have adequate information to ensure the proper identification by the said parties of my accounts and of the fact that I am currently a debtor under Federal Bankruptcy Code and as such are fully protected from any type of adverse creditor action by virtue of the automatic stay. This authorization will extend to and include either verbal or written or electronic verification to the said parties of the relevant account number and/or Social Security number as required or as deemed necessary and appropriate. This authorization shall remain in force and effect until and unless it is revoked by a written document duly executed by the undersigned party and actually delivered to the Gardner Law Offices. Any such written revocation shall become effective 15 days after receipt thereof.

This, the \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Debtor's signature

\_\_\_\_\_  
Debtor's signature

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**CONTRACT FOR CHAPTER 13 BANKRUPTCY SERVICES**

This Agreement is executed this the 11<sup>th</sup> day of August 2010, by and between Gardner Law Offices (the Attorney) and Wilbur Brainerd Mosseller, Jr. and Lorraine Gibson Mosseller (the Debtor, whether one or more parties). The parties agree as follows:

**1. Type of Bankruptcy.**

Debtor retains attorney to file a Chapter 13 bankruptcy case. If the Debtor determines at a later date that the Debtor desires to file a Chapter 7 bankruptcy case, the parties shall execute a new fee contract setting forth the terms of such representation. If Debtor elects to convert the Chapter 13 case to a Chapter 7 case, then Attorney shall be under no duty to prepare and file the necessary court papers until the new fee agreement has been signed and the agreed upon fees paid.

**2. Base Attorney Fees.**

The base attorney fee for filing the Chapter 13 bankruptcy case is \$4,000.00. The entire base fee shall be added to and paid through the Chapter 13 plan. The Debtor shall not be obligated to pay any part of the base fee as an "up front" payment or as a condition to filing. The services of the attorney included in the base fee are those normally contemplated for a Chapter 13 case. They include the services listed below:

- (a) Preparation and electronic filing of petition, schedules, supplemental local forms, Chapter 13 Plan and mailing matrix.
- (b) Drafting and mailing notice to creditors advising of filing of case, including a copy of your Chapter 13 Plan.
- (c) Drafting and mailing to you a letter regarding your attendance at the Section 341 meeting and your other responsibilities.
- (d) Preparation for and attendance at Section 341 meeting.
- (e) Review of order confirming plan and periodic case status reports from the Chapter 13 trustee.
- (f) Review of trustee's motion for allowance of claims.
- (g) Maintaining custody and control of case files.
- (h) Service of orders on all affected parties.
- (i) Verification of your identity and social security number.
- (j) Defending objections to confirmation of your Chapter 13 Plan.

The base fee shall also include the following services to the extent they are requested or reasonably necessary for your effective representation:

- (a) Preparation and filing of proofs of claim on your behalf for your creditors.
- (b) Drafting and filing objections to scheduled and unscheduled proofs of claim.
- (c) Assumptions and rejections of unexpired leases and executory contracts.
- (d) Preparation for and attendance at valuation hearings.
- (e) Motions to transfer venue.
- (f) Consultation with you regarding obtaining post-petition credit (no motion filed).

**Gardner Law Offices is designated as a Federal Debt Relief Agency by an Act of Congress and the President of the United States, has proudly assisted consumers seeking relief under the US Bankruptcy Code.**

- (g) Motions to avoid liens.
- (h) Calculation of plan payment modifications (no motion filed).
- (i) Adding creditor address to mailing matrix as necessary.
- (j) Responding to written creditor contacts regarding plan terms, valuation of collateral, claim amounts and the like.
- (k) Responding to your contacts regarding changes in your financial and personal circumstances and advising the Court and Trustee of the same.
- (l) Communicating with you regarding payment defaults, insurance coverage, credit disability and the like.
- (m) Obtaining and providing the Trustee with copies of documents relating to lien perfection issues.
- (n) Notifying creditors of entry of discharge.
- (o) Notifying creditors by certified mail of alleged violations of the automatic stay.
- (p) Drafting and mailing letters regarding voluntary turnover of property.
- (q) Review of documents in relation to the use or sale of collateral (no motion filed).
- (r) Providing you with a list of answers to frequently asked questions and other routine communications with you.

### **3. Non-Base Attorney Fees.**

In some Chapter 13 cases, the legal services which are beyond those contemplated in the base fee must nonetheless be provided by the Attorney. These legal services are also listed below:

- (a) Abandonment of property post-confirmation.
- (b) Motion for moratorium.
- (c) Motion for authority to sell property.
- (d) Motion to modify or to approve personal injury or compensation settlement.
- (e) Motion to use cash collateral or to incur credit.
- (f) Defense of motion for relief from stay or co-debtor stay.
- (g) Defense of motion to dismiss filed after confirmation of your plan.
- (h) Non-base fee requests.
- (i) Stay violation litigation, including amounts paid as fees by the creditor or other party.
- (j) Post-discharge injunction actions.
- (k) Adversary proceedings.
- (l) Wage garnishment orders.
- (m) Turnover adversaries.
- (n) Conversion to Chapter 7.
- (o) Motions to substitute collateral and for property damage settlements.
- (p) Any other matter not covered by the base fee.

For such non-base services, you may be charged without any further notice and in the discretion of the Court non-base fees for the following services and in the amounts noted:

Defense of motion to dismiss the case	\$200.00
Motion to modify order, including moratorium	\$350.00
Motion to substitute collateral	\$450.00
Defense of Motion to lift any stay	\$450.00
Motion to sell real or personal property	\$450.00
Motion for approval of personal injury settlement	\$350.00.
Motion for approval of workers' comp settlement	\$350.00
Motion for approval of property damage settlement	\$350.00
Motion for approval of new credit application	\$350.00
Motion to reconsider an order of dismissal	\$350.00

The Attorney, in his discretion, may also keep time and expense records for any non-

base service and apply to the Court for the approval of the fee plus all expenses incurred. The current hourly fee for your Attorney is \$225.00. All base and non-base fees will be added to your plan (unless paid directly by Debtor or a third-party such as a creditor in a contested case) and will be paid through the plan. It is possible that any non-base fees added to your plan may result in an increase in your monthly plan payment or in an extension of the length of your plan or of both.

**4. Contingent Fees.**

The attorney will be entitled to a contingency fee equal to 50% of any actual recovery (damages, legal fees and costs) from any party for a violation of the automatic stay, the co-debtor stay, the discharge injunction, for breach of the plan or any terms thereof, or for breach of any state or federal consumer protection statutes. The North Carolina Contingency Fee Addendum form is attached to and made a part of this Agreement.

**5. Expenses.**

The Attorney shall be entitled to apply to the Court for approval of any expenses related to your case for base fee or non-base fee services. Such expenses include but are not limited to court fees, telephone fees, fax fees, copy fees, postage fees, PACER fees, electronic or other research fees. In the Court's discretion, the Attorney may request without any notice or documentation a blanket expense of \$1.00 for each item noticed to creditors as an expense for postage, copying and envelopes.

**6. Court Approval of Fees.**

All fees included in this Agreement are subject to the control of the United States Bankruptcy Court for the Western District of North Carolina. Any changes in the presumed non-base fees by the Court shall be deemed to immediately modify and amend the terms and conditions of this Agreement as to the non-base fees and shall be incorporated herein by this reference. Any subsequent increase in the base fees by the Court shall have no impact on the original base fee provided for in this Agreement.

**7. Assumptions for the Base Fee.**

The base fee is based on the following assumptions:

- (a) The Debtor has provided the Attorney with all requested information.
- (b) The Debtor has provided the Attorney with complete and accurate information.
- (c) The Debtor's circumstances, especially the Debtor's current monthly income (as defined by the Bankruptcy Code) does not substantially change prior to the filing of the case.
- (d) The Debtor will provide all requested documents within 15 days of the date of this Agreement.

**8. Costs and Expenses to be paid directly by Debtor.**

The debtor shall pay all costs related to the filing of the bankruptcy case. These costs currently include the court filing fee of \$274.00; the costs of mandatory pre-filing credit counseling, which is approximately \$50.00 per person; the mandatory post-filing educational course, which is also approximately \$50.00 per person; the costs of any PACER checks, which is approximately \$10.00; the costs of any appraisals of real or personal property; the costs of obtaining current consumer credit reports in the event the Debtor is not entitled to free reports; and any other costs as agreed to by the parties.

**9. First Payment.**

The Debtor must be in a position to make the first full Chapter 13 monthly plan payment at the time the Debtor signs the Chapter 13 court papers. The Debtor must also

pay or have paid the \$274.00 filing fee at the time of signing and secured and paid for the consumer credit counseling certificate.

**10. Mortgage Payments.**

The Debtor acknowledges that the contract mortgage payments on residential real estate to Bank of America it cannot be reduced under the Bankruptcy laws but will be paid as follows:

(a) By adding the amount of the payment (plus any back payments), and any future increases as allowed by the mortgage contract, to the Chapter 13 plan payment. As a result, the Debtor will only be responsible for making one single debt payment per month, said payment being the Chapter 13 plan payment; or

(b) By including only the pre-filing arrears or back payments in the plan, with the Debtor being solely responsible for making all future mortgage payments directly to the mortgage company.

The Debtor has elected to proceed with option: A

\_\_\_\_\_  
INITIALS

**11. Debtor's Obligations.**

The Debtor's obligations are as follows:

- (a) To provide the Attorney with all requested documents, bills statements, payment advices, bank records, tax returns, tax bills, appraisals, retirement and savings account, and income information and to sign any and all necessary forms to allow the Attorney to secure such documentation.
- (b) To provide accurately and honestly all of the information necessary to prepare and file the Chapter 13 bankruptcy case, and other motions or proceedings arising during the course of the case.
- (c) To timely respond to all letters, emails and telephone calls from the Attorney or any member of his staff.
- (d) To keep the Attorney advised at all times of the Debtor's mailing and physical addresses, telephone numbers, and email addresses.
- (e) To appear at the first meeting of creditors (the 341 meeting) and at any other court hearings or meetings as may be required by the Court or any other party.
- (f) To keep all scheduled office appointments with the Attorney and to notify the Attorney in advance of any problems with the timing and scheduling or rescheduling of such appointments.
- (g) To contact the attorney by Telephone with the understanding that the Attorney is only able to return calls between the hours of 8:00 a.m. to 9:30 a.m. and 4:00 p.m. to 6:00 p.m. If the Attorney is available when the call is actually received, then the call will be taken at that time. However, if you have to leave a message for the Attorney then you must provide a number that you can be reached at during the designated times. The Attorney or Legal Assistant will make every effort to return all such telephone calls within 48 hours, excluding weekends and holidays.
- (h) To provide any information requested of the Debtor by the Chapter 13 Trustee, the Bankruptcy Administrator, or any other party in the case, unless the Court rules that the Debtor is not required to provide such information.
- (i) To respond as soon as possible to any requests for the Debtor by the Attorney or his Legal Assistant.
- (j) To comply with the obligations imposed upon the Debtor by the Local Rules of the Bankruptcy Court for the Western District of North Carolina, a copy of which is attached to this Agreement.

- (k) To sign a tax authorization form to authorize the Attorney to get copies of income tax returns from the respective taxing agencies for a period of four (4) years prior to the filing of your bankruptcy case.
- (l) To provide current bank account information to include monthly statements as requested and online account balances as of the date of the signing of your bankruptcy petition packet.

**12. Attorney Withdrawal from Chapter 13 case, Adversary Proceeding or Contested Matter.**

Pursuant to the Local Rules of the Bankruptcy Court, the Attorney shall remain the responsible attorney of record for the Debtor in all matters in the case until the case is closed, dismissed or the discharge is entered or until the Attorney is relieved from such representation by order of the Court. The parties agree that just reasons for the Attorney to withdraw from the representation of the Debtor, include but are not limited to the following:

- (a) The failure of the Debtor to provide complete, truthful and accurate information to the Attorney.
- (b) The failure of the Debtor to comply with the Debtor's obligations as provided for in this Agreement and in the Local Rules.
- (c) The failure of the Debtor to comply with any of the obligations imposed on the Debtor by the Bankruptcy Code and the Bankruptcy Rules.
- (d) The failure or refusal of the Debtor to comply with the Debtor's obligations to provide any supplemental information to the Court or to the Chapter 13 Trustee or to correct any incorrect or incomplete information previously provided to the Court or the Trustee.
- (d) The failure of the Debtor to provide complete, truthful and accurate information to the Court, the Chapter 13 Trustee and the Bankruptcy Administrator.
- (e) If the Debtor are husband and wife, then any separation, serious domestic dispute, or divorce of the parties.
- (f) Any irreconcilable conflict between the Attorney and the Debtor with respect to the case.

This the 11<sup>th</sup> day of August 2010.

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Attorney signature

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Client signature

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Client signature

**Debtor has also received copies of The North Carolina Contingency Fee Addendum and Local Rules of the Bankruptcy Court for the Western District of North Carolina.**

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**CLIENT INSTRUCTIONS**

**Pursuant to 11 U.S.C. Section 342(b)**

**Types of Bankruptcy**

**Chapter 7 – Liquidation**

Chapter 7 is designed for debtors who are having financial difficulties and are not able to re-pay their debts.

If your current monthly income is above the State Median Income you will be required to perform a Means Test to determine if you are eligible for this type of bankruptcy relief. If you do not meet the requirements of the Means Test then you may be precluded from filing a Chapter 7 and have the option of converting to Chapter 13 or filing a Chapter 13.

Under Chapter 7 a Trustee takes possession of all your property. You may claim certain property as exempt under North Carolina law. A copy of the North Carolina Exemption Law is attached to this notice. You can only exempt the value of property that is not subject to the liens of your creditors. The Trustee then liquidates the non-exempt property and uses the proceeds to pay off your creditors according to priorities of the Bankruptcy Code.

The purpose of filing a Chapter 7 is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the Court, and the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated with alcohol or drugs.

Under certain circumstances you may be able to keep property that you have purchased subject to a valid security interest. Some of these options include what is called redemption and the renewal or reaffirmation of an existing pre-bankruptcy debt. Your attorney can explain the options that are available to you.

**Chapter 13 – Repayment of All or Part of the Debts of an Individual with Regular Income**

Chapter 13 is designed for individuals with a regular and stable source of income who are temporarily unable to pay their debts but who desire to use their best efforts and good faith to pay them in installments over a period of time subject to the protections afforded by the Chapter 13 rules. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under Chapter 13 you must file a plan with the Court to repay your creditors all or part of the money that you owe them, using your future earnings or by the disposition and/or abandonment of certain collateral such as land and motor vehicles. You are protected from your creditors in most case upon the filing of your case but your plan must be approved by the Court before it can take effect.

**Gardner Law Offices is designated as a Federal Debt Relief Agency by an Act of Congress and the President of the United States, has proudly assisted consumers seeking relief under the US Bankruptcy Code.**

Under Chapter 13, unlike Chapter 7, you may keep all of your property, both exempt and non-exempt, as long as you continue to make payments under the plan.

After completion of payments under the plan, your debts are discharged except for any domestic support obligations, student loans, and certain taxes, among others.

### **Chapter 11 – Reorganization**

Chapter 11 is designed primarily for the reorganization of businesses but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney. Most Chapter 11 cases are simply too expensive for the great majority of consumer debtors. Most individuals are aware of the high profile Chapter 11 cases that have been filed in recent years by many of the commercial airlines.

### **Chapter 12 – Family Farmer**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farms or fisheries.

### **Credit Counseling**

Reputable credit counselors can advise you on managing your money and your debts. They may also be able to develop a plan to repay your debts. But, most credit counselors are not reputable and charge high fees and contributions that will cause you to fall deeper into debt. Furthermore, many misrepresent their non-profit status and/or their affiliations with religious or charitable organizations. Gardner Law Office only recommends that a person seek the credit counseling services of a group that has been approved by the United States Trustee Department or the Bankruptcy Administrator.

### **Honesty is Required**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury in connection with a case under this the bankruptcy code shall be subject to fine, imprisonment, or both and all information supplied by a debtor in connection with a case under this title is subject to examination by the Attorney General.

### **ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge that attorney William S. Gardner has given to me and reviewed with me a copy of the Types of Bankruptcy as required by Bankruptcy Code Section 342 (b).

Signed this, the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Client signature

\_\_\_\_\_  
Attorney signature

\_\_\_\_\_  
Client signature



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**RULES FOR FILING BANKRUPTCY**

Notice required under 11 U.S.C. Section 527(a)

**If you do not follow these rules you could be subject to Criminal Sanctions including JAIL and FINES. If you do not follow these rules your case will be dismissed and you may not be able to re file your case.**

**Rule #1** – The information you give to an attorney, a staff member of the law firm, the Bankruptcy Trustee, or the Bankruptcy Court that is provided with your petition and during the case must be complete, accurate, and truthful.

**Rule #2** – Everything you own and every debt you owe must be completely and accurately disclosed in the documents filed to commence this case. Bankruptcy is not a “pick and choose” proceeding. You do not leave some debts in and leave some debts out. Everything must be included. You must value each item you own at the rate it would cost you to replace the item with one of the same condition, age, and usefulness.

**Rule #3** – You will be required to complete a current monthly budget. This will be performed with your attorney. This budget will be based on your Current Monthly Income and your regular monthly expenses. This Current Monthly Income is more than just that paid to you by your employer and will include any income received in the past 6 months commencing with the first full month before your bankruptcy filing. This could include government assistance, social security, unemployment, or side jobs or any other sources. The regular expense should be as close as possible and should be based on a reasonable inquiry.

**Rule #4** – The Bankruptcy Code requires you to perform certain tasks including filing certain documents with the Court. Your attorney will notify you of the need and time limits for performing these tasks. If you fail to meet these deadlines your case will automatically be dismissed and you may be barred from re filing a case.

**All of the information you provide will be subject to audit by the United States Department of Justice. If you fail to provide this information your case may be dismissed. If you act dishonestly you may be subject to criminal sanctions.**

*These rules are given as a warning and not as an attempt to scare you from filing bankruptcy. Bankruptcy is a right provided to you under Federal Law. These Rules are only given to prevent people from intentionally abusing this by cheating and being dishonest. This notice is required by law under the Bankruptcy Reform Act enacted by Congress under intense lobbying by the credit industry and should not intimidate you from filing bankruptcy. Over the 30 years our office has assisted people with filing bankruptcy. During that period of time, our Office has observed that almost all of our clients are honest and hardworking people who due to circumstances beyond their control cannot repay their debts.*

**RULES FOR FILING BANKRUPTCY**

Notice required under 11 U.S.C. Section 527(a)

**ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge that attorney William S. Gardner has given to me and reviewed with me a copy of the Rules for Filing Bankruptcy as required by Bankruptcy Code Section 527(b).

Signed this, the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Client signature

\_\_\_\_\_  
Attorney signature

\_\_\_\_\_  
Client signature

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**IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES  
FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER**

- If you decide to seek bankruptcy relief, you should be advised that you can represent yourself in all matters connected with the bankruptcy.
- If you decide to seek bankruptcy relief, you should be advised that you can hire an attorney to represent you.
- If you decide to seek bankruptcy relief, you should be advised that in some areas you may hire a bankruptcy petition preparer who is not an attorney.

**THE LAW REQUIRES AN ATTORNEY TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY WILL DO FOR YOU AND HOW MUCH IT WILL COST. ASK TO SEE THIS CONTRACT BEFORE YOU HIRE AN ATTORNEY.**

Although bankruptcy cases can be complex, many of the procedures and cases are routine. Before filing a bankruptcy case, you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of relief is most beneficial to you. Be sure you understand the relief you can obtain and its limitations.

To file a bankruptcy case, documents called a Petition, Schedules, and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court.

Once your case is filed, you will have to attend a first meeting of creditors where you will be questioned under oath by a court official called a "trustee". At this meeting you may also be questioned by your creditors.

If you chose to file a Chapter 7 case, you may be asked to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

If you chose to file a Chapter 13 case in which you repay your creditors what you can afford over a 3 to 5 years, you may also want help with preparing your Chapter 13 plan and with the confirmation hearing on your plan which will be before a Federal Bankruptcy Judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court. **BE AWARE-** Only an attorney can give you legal advice and can represent you in court.

**IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES  
FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER**

**ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge that attorney William S. Gardner has given to me and reviewed with me a copy of the Definitions as required by Bankruptcy Code Section 527(b).

Signed this, the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Client signature

\_\_\_\_\_  
Attorney signature

\_\_\_\_\_  
Client signature

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**CLIENT INSTRUCTIONS**

Pursuant to 11 U.S.C. Section 527(c)

**DEFINITIONS**

1. **Replacement Value** – Certain sections of the Bankruptcy Code will require you to determine the value of your personal and real property. We will provide you assistance with this calculation but we are required under law to provide a written explanation of this term. For personal, family and household purposes the replacement value is the value a retail merchant selling the item would charge considering the age and condition of the item. The code does not define the term retail merchant.

**Example:** Assume that you have a DVD player that is 3 years old. You have been using the DVD player regularly and it works. The replacement value for this item would be what a used store or flea market would *price* the item. In doing this calculation, you do not have to be precise, just reasonable. The Law Offices of O. Max Gardner III PC will assist you with any inquiries as to valuing your household items.

2. **Current Monthly Income** – Under certain sections of the Bankruptcy Code you will be required to calculate your Current Monthly Income. This is more than what you receive every time you get a pay check. This includes all income you have received over the last 6 months divided by 6. This means that if you lost your job last month your total income for that month would be almost zero. This calculation does not take into account many government benefits including social security. This income even includes income that is not taxable.

3. **Calculations** – If you file a Chapter 13 plan you will be required to submit a budget that calculates disposable income left over when you deduct your monthly expenses from your monthly income. These expenses do not include your payments on unsecured debts. An attorney will assist you with these calculations. If your Current Monthly Income is higher than the State Median Income for your household size you will be subject to a Means Test. This Means Test adds up your total expenses as defined by the Bankruptcy Code and other deductions including regular charitable donations (up to 15% of your income), school expenses, payments on 401(k)/IRA loans, and health insurance. If you are subject to this calculation an attorney will help you perform this task.

4. **Creditor Matrix** – If you file a Chapter 13 case, you will be required to prepare and submit a master mailing matrix in a format approved by the Court that includes the names and addresses of all of your creditors. The matrix must be in three columns and in alphabetical order. You must also list any persons who have co-signed or guaranteed loans for you. In addition, the law requires that you list the following parties even if you owe them no money: the Internal Revenue Service, the North Carolina Department of Revenue, the City or County tax authority in your place of residence, the Office of the United States Attorney, and the Office of the North Carolina Department of Justice. All creditors have designated specific address for the receipt of notices of bankruptcy and in connection therewith you must use the address designated on 2 of the most recent statements received from each creditor within the 90 day period before the filing of your case. If your matrix is not filed in the proper format, your case may be subject to dismissal by the Court.

5. **Exemptions** – In order to protect your property you will need to claim applicable exemptions provided by State or Federal Law. The Law Offices of O. Max Gardner III will assist and advise you on the proper exemptions to claim for your case.

**CLIENT INSTRUCTIONS**

Pursuant to 11 U.S.C. Section 527(c)

**DEFINITIONS**

**ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge that attorney William S. Gardner has given to me and reviewed with me a copy of the Definitions as required by Bankruptcy Code Section 527(c).

Signed this, the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Client signature

\_\_\_\_\_  
Attorney signature

\_\_\_\_\_  
Client signature

( ) Not applicable

Local Form 13

July 2009

AUTHORIZATION TO RELEASE INFORMATION TO THE TRUSTEE REGARDING  
MORTGAGE CLAIM BEING PAID BY THE TRUSTEE  
(to be filed with the Court)

Debtor Name(s): Wilbur Brainerd Mosseller, Jr. & Lorraine Gibson Mosseller No. 10-40731

The Debtor(s) in the above captioned bankruptcy case does/do hereby authorize any and all lien holders on real property of the bankruptcy estate to release information to the standing Chapter 13 Trustee upon request.

The information to be released includes, but is not limited to, the amount of the post-petition monthly installment payments, the annual interest rate and type of loan, the loan balance, the escrow account(s), the amount of the contractual late charge, and the mailing address for payments. This information will only be used by the Trustee and his/her staff in the administration of the bankruptcy estate and may be included in motions brought before the Court.

\_\_\_\_\_  
Debtor's Signature

\_\_\_\_\_  
Joint Debtor's Signature

Dated: August 11, 2010

Dated: August 11, 2010

**B22C (Official Form 22C) (Chapter 13) (04/10)**In re: Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson

Debtor(s)

Case Number: 10-40731

(If known)

According to the calculations required by this statement:

☐ The applicable commitment period is 3 years.☒ The applicable commitment period is 5 years.☒ Disposable income is determined under § 1325(b)(3).☐ Disposable income is not determined under § 1325(b)(3).

(Check the boxes as directed in Lines 17 and 23 of this statement.)

**CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME  
AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME**

In addition to Schedules I and J, this statement must be completed by every individual Chapter 13 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

**Part I. REPORT OF INCOME**

1	<b>Marital/filing status.</b> Check the box that applies and complete the balance of this part of this statement as directed. a. <input type="checkbox"/> Unmarried. Complete only Column A ("Debtor's Income") for Lines 2-10. b. <input checked="" type="checkbox"/> Married. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 2-10. All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.		<b>Column A</b> <b>Debtor's</b> <b>Income</b>	<b>Column B</b> <b>Spouse's</b> <b>Income</b>									
2	<b>Gross wages, salary, tips, bonuses, overtime, commissions.</b>		\$	\$ 1,121.92									
3	<b>Income from the operation of a business, profession, or farm.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. <b>Do not include any part of the business expenses entered on Line b as a deduction in Part IV.</b> <table border="1" data-bbox="188 1150 1170 1295"> <tr> <td style="width: 5%;">a.</td> <td style="width: 75%;">Gross receipts</td> <td style="width: 20%; text-align: right;">\$ 48,112.01</td> </tr> <tr> <td>b.</td> <td>Ordinary and necessary operating expenses</td> <td style="text-align: right;">\$ 42,108.93</td> </tr> <tr> <td>c.</td> <td>Business income</td> <td>Subtract Line b from Line a</td> </tr> </table>		a.	Gross receipts	\$ 48,112.01	b.	Ordinary and necessary operating expenses	\$ 42,108.93	c.	Business income	Subtract Line b from Line a	\$ 6,003.08	\$
a.	Gross receipts	\$ 48,112.01											
b.	Ordinary and necessary operating expenses	\$ 42,108.93											
c.	Business income	Subtract Line b from Line a											
4	<b>Rent and other real property income.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero. <b>Do not include any part of the operating expenses entered on Line b as a deduction in Part IV.</b> <table border="1" data-bbox="188 1451 1170 1591"> <tr> <td style="width: 5%;">a.</td> <td style="width: 75%;">Gross receipts</td> <td style="width: 20%; text-align: right;">\$</td> </tr> <tr> <td>b.</td> <td>Ordinary and necessary operating expenses</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>c.</td> <td>Rent and other real property income</td> <td>Subtract Line b from Line a</td> </tr> </table>		a.	Gross receipts	\$	b.	Ordinary and necessary operating expenses	\$	c.	Rent and other real property income	Subtract Line b from Line a	\$	\$
a.	Gross receipts	\$											
b.	Ordinary and necessary operating expenses	\$											
c.	Rent and other real property income	Subtract Line b from Line a											
5	<b>Interest, dividends, and royalties.</b>		\$	\$									
6	<b>Pension and retirement income.</b>		\$	\$									
7	<b>Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse.		\$	\$									



## B22C (Official Form 22C) (Chapter 13) (04/10)

8	<b>Unemployment compensation.</b> Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:			
	Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$ _____	Spouse \$ _____	
9	<b>Income from all other sources.</b> Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. <b>Do not include alimony or separate maintenance payments paid by your spouse, but include all other payments of alimony or separate maintenance.</b> Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism.			
	a.		\$	
	b.		\$	
10	<b>Subtotal.</b> Add Lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 through 9 in Column B. Enter the total(s).		\$ 6,003.08	\$ 1,121.92
11	<b>Total.</b> If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 10, Column A.		\$ 7,125.00	

## Part II. CALCULATION OF § 1325(b)(4) COMMITMENT PERIOD

12	Enter the amount from Line 11.		\$ 7,125.00
13	<b>Marital Adjustment.</b> If you are married, but are not filing jointly with your spouse, AND if you contend that calculation of the commitment period under § 1325(b)(4) does not require inclusion of the income of your spouse, enter the amount of the income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of you or your dependents. Otherwise, enter zero.		
	a.		\$
	b.		\$
	c.		\$
	Total and enter on Line 13.		\$ 0.00
14	Subtract Line 13 from Line 12 and enter the result.		\$ 7,125.00
15	<b>Annualized current monthly income for § 1325(b)(4).</b> Multiply the amount from Line 14 by the number 12 and enter the result.		\$ 85,500.00
16	<b>Applicable median family income.</b> Enter the median family income for the applicable state and household size. (This information is available by family size at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)		
	a. Enter debtor's state of residence: <b>North Carolina</b> b. Enter debtor's household size: <b>6</b>		\$ 82,056.00
17	<b>Application of § 1325(b)(4).</b> Check the applicable box and proceed as directed.		
	<input type="checkbox"/> <b>The amount on Line 15 is less than the amount on Line 16.</b> Check the box for "The applicable commitment period is 3 years" at the top of page 1 of this statement and continue with this statement.		
	<input checked="" type="checkbox"/> <b>The amount on Line 15 is not less than the amount on Line 16.</b> Check the box for "The applicable commitment period is 5 years" at the top of page 1 of this statement and continue with this statement.		

## Part III. APPLICATION OF § 1325(b)(3) FOR DETERMINING DISPOSABLE INCOME

18	Enter the amount from Line 11.	\$ 7,125.00
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## B22C (Official Form 22C) (Chapter 13) (04/10)

19	<p><b>Marital adjustment.</b> If you are married, but are not filing jointly with your spouse, enter on Line 19 the total of any income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If the conditions for entering this adjustment do not apply, enter zero.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">a.</td> <td style="width: 70%;"></td> <td style="width: 25%; text-align: right;">\$</td> </tr> <tr> <td style="text-align: center;">b.</td> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td style="text-align: center;">c.</td> <td></td> <td style="text-align: right;">\$</td> </tr> </table> <p>Total and enter on Line 19.</p>	a.		\$	b.		\$	c.		\$	\$ <b>0.00</b>																
a.		\$																									
b.		\$																									
c.		\$																									
20	<b>Current monthly income for § 1325(b)(3).</b> Subtract Line 19 from Line 18 and enter the result.	\$ <b>7,125.00</b>																									
21	<b>Annualized current monthly income for § 1325(b)(3).</b> Multiply the amount from Line 20 by the number 12 and enter the result.	\$ <b>85,500.00</b>																									
22	<b>Applicable median family income.</b> Enter the amount from Line 16.	\$ <b>82,056.00</b>																									
23	<p><b>Application of § 1325(b)(3).</b> Check the applicable box and proceed as directed.</p> <p><input checked="" type="checkbox"/> <b>The amount on Line 21 is more than the amount on Line 22.</b> Check the box for "Disposable income is determined under § 1325(b)(3)" at the top of page 1 of this statement and complete the remaining parts of this statement.</p> <p><input type="checkbox"/> <b>The amount on Line 21 is not more than the amount on Line 22.</b> Check the box for "Disposable income is not determined under § 1325(b)(3)" at the top of page 1 of this statement and complete Part VII of this statement. <b>Do not complete Parts IV, V, or VI.</b></p>																										
<b>Part IV. CALCULATION OF DEDUCTIONS ALLOWED UNDER § 707(b)(2)</b>																											
<b>Subpart A: Deductions under Standards of the Internal Revenue Service (IRS)</b>																											
24A	<b>National Standards: food, apparel and services, housekeeping supplies, personal care, and miscellaneous.</b> Enter in Line 24A the "Total" amount from IRS National Standards for Allowable Living Expenses for the applicable household size. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)	\$ <b>1,895.00</b>																									
24B	<p><b>National Standards: health care.</b> Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line 16b.) Multiply Line a1 by Line b1 to obtain a total amount for household members under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for household members 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 24B.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align: left;">Household members under 65 years of age</th> <th colspan="3" style="text-align: left;">Household members 65 years of age or older</th> </tr> </thead> <tbody> <tr> <td style="width: 5%; text-align: center;">a1.</td> <td style="width: 60%;">Allowance per member</td> <td style="width: 35%; text-align: right;">60.00</td> <td style="text-align: center;">a2.</td> <td>Allowance per member</td> <td style="text-align: right;">144.00</td> </tr> <tr> <td style="text-align: center;">b1.</td> <td>Number of members</td> <td style="text-align: right;">6</td> <td style="text-align: center;">b2.</td> <td>Number of members</td> <td style="text-align: right;">0</td> </tr> <tr> <td style="text-align: center;">c1.</td> <td>Subtotal</td> <td style="text-align: right;">360.00</td> <td style="text-align: center;">c2.</td> <td>Subtotal</td> <td style="text-align: right;">0.00</td> </tr> </tbody> </table>		Household members under 65 years of age			Household members 65 years of age or older			a1.	Allowance per member	60.00	a2.	Allowance per member	144.00	b1.	Number of members	6	b2.	Number of members	0	c1.	Subtotal	360.00	c2.	Subtotal	0.00	\$ <b>360.00</b>
Household members under 65 years of age			Household members 65 years of age or older																								
a1.	Allowance per member	60.00	a2.	Allowance per member	144.00																						
b1.	Number of members	6	b2.	Number of members	0																						
c1.	Subtotal	360.00	c2.	Subtotal	0.00																						
25A	<b>Local Standards: housing and utilities; non-mortgage expenses.</b> Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and household size. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)	\$ <b>506.00</b>																									

## B22C (Official Form 22C) (Chapter 13) (04/10)

25B	<p><b>Local Standards: housing and utilities; mortgage/rent expense.</b> Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and household size (this information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 47; subtract Line b from Line a and enter the result in Line 25B. <b>Do not enter an amount less than zero.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">a.</td><td style="width: 60%;">IRS Housing and Utilities Standards; mortgage/rental expense</td><td style="width: 35%; text-align: right;">\$ <b>944.00</b></td></tr> <tr> <td style="text-align: center;">b.</td><td>Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47</td><td style="text-align: right;">\$ <b>1,451.27</b></td></tr> <tr> <td style="text-align: center;">c.</td><td>Net mortgage/rental expense</td><td style="text-align: right;">Subtract Line b from Line a</td></tr> </table>		a.	IRS Housing and Utilities Standards; mortgage/rental expense	\$ <b>944.00</b>	b.	Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$ <b>1,451.27</b>	c.	Net mortgage/rental expense	Subtract Line b from Line a	\$
a.	IRS Housing and Utilities Standards; mortgage/rental expense	\$ <b>944.00</b>										
b.	Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$ <b>1,451.27</b>										
c.	Net mortgage/rental expense	Subtract Line b from Line a										
26	<p><b>Local Standards: housing and utilities; adjustment.</b> If you contend that the process set out in Lines 25A and 25B does not accurately compute the allowance to which you are entitled under the IRS Housing and Utilities Standards, enter any additional amount to which you contend you are entitled, and state the basis for your contention in the space below:</p>     		\$									
27A	<p><b>Local Standards: transportation; vehicle operation/public transportation expense.</b> You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.</p> <p>Check the number of vehicles for which you pay the operating expenses or for which the operating expenses are included as a contribution to your household expenses in Line 7.</p> <p><input type="checkbox"/> 0   <input type="checkbox"/> 1   <input checked="" type="checkbox"/> 2 or more.</p> <p>If you checked 0, enter on Line 27A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 27A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)</p>		\$ <b>478.00</b>									
27B	<p><b>Local Standards: transportation; additional public transportation expense.</b> If you pay the operating expenses for a vehicle and also use public transportation, and you contend that you are entitled to an additional deduction for your public transportation expenses, enter on Line 27B the "Public Transportation" amount from IRS Local Standards: Transportation. (This amount is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)</p>		\$									
28	<p><b>Local Standards: transportation ownership/lease expense; Vehicle 1.</b> Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)</p> <p><input type="checkbox"/> 1   <input checked="" type="checkbox"/> 2 or more.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 47; subtract Line b from Line a and enter the result in Line 28. <b>Do not enter an amount less than zero.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">a.</td><td style="width: 60%;">IRS Transportation Standards, Ownership Costs</td><td style="width: 35%; text-align: right;">\$ <b>496.00</b></td></tr> <tr> <td style="text-align: center;">b.</td><td>Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47</td><td style="text-align: right;">\$ <b>65.24</b></td></tr> <tr> <td style="text-align: center;">c.</td><td>Net ownership/lease expense for Vehicle 1</td><td style="text-align: right;">Subtract Line b from Line a</td></tr> </table>		a.	IRS Transportation Standards, Ownership Costs	\$ <b>496.00</b>	b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47	\$ <b>65.24</b>	c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a	\$ <b>430.76</b>
a.	IRS Transportation Standards, Ownership Costs	\$ <b>496.00</b>										
b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47	\$ <b>65.24</b>										
c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a										

## B22C (Official Form 22C) (Chapter 13) (04/10)

29	<p><b>Local Standards: transportation ownership/lease expense; Vehicle 2.</b> Complete this Line only if you checked the "2 or more" Box in Line 28.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 47; subtract Line b from Line a and enter the result in Line 29. <b>Do not enter an amount less than zero.</b></p> <table border="1" data-bbox="188 373 1328 548"> <tr> <td data-bbox="188 373 245 422">a.</td> <td data-bbox="251 373 982 422">IRS Transportation Standards, Ownership Costs</td> <td data-bbox="989 373 1328 422">\$ 496.00</td> </tr> <tr> <td data-bbox="188 422 245 499">b.</td> <td data-bbox="251 422 982 499">Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47</td> <td data-bbox="989 422 1328 499">\$ 136.40</td> </tr> <tr> <td data-bbox="188 499 245 548">c.</td> <td data-bbox="251 499 982 548">Net ownership/lease expense for Vehicle 2</td> <td data-bbox="989 499 1328 548">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Transportation Standards, Ownership Costs	\$ 496.00	b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47	\$ 136.40	c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a	\$ 359.60
a.	IRS Transportation Standards, Ownership Costs	\$ 496.00									
b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47	\$ 136.40									
c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a									
30	<p><b>Other Necessary Expenses: taxes.</b> Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self-employment taxes, social-security taxes, and Medicare taxes. <b>Do not include real estate or sales taxes.</b></p>	\$ 290.07									
31	<p><b>Other Necessary Expenses: involuntary deductions for employment.</b> Enter the total average monthly deductions that are required for your employment, such as mandatory retirement contributions, union dues, and uniform costs. <b>Do not include discretionary amounts, such as voluntary 401(k) contributions.</b></p>	\$									
32	<p><b>Other Necessary Expenses: life insurance.</b> Enter total average monthly premiums that you actually pay for term life insurance for yourself. <b>Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.</b></p>	\$ 120.00									
33	<p><b>Other Necessary Expenses: court-ordered payments.</b> Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. <b>Do not include payments on past due obligations included in Line 49.</b></p>	\$									
34	<p><b>Other Necessary Expenses: education for employment or for a physically or mentally challenged child.</b> Enter the total average monthly amount that you actually expend for education that is a condition of employment and for education that is required for a physically or mentally challenged dependent child for whom no public education providing similar services is available.</p>	\$									
35	<p><b>Other Necessary Expenses: childcare.</b> Enter the total average monthly amount that you actually expend on childcare—such as baby-sitting, day care, nursery and preschool. <b>Do not include other educational payments.</b></p>	\$									
36	<p><b>Other Necessary Expenses: health care.</b> Enter the total average monthly amount that you actually expend on health care that is required for the health and welfare of yourself or your dependents, that is not reimbursed by insurance or paid by a health savings account, and that is in excess of the amount entered in Line 24B. <b>Do not include payments for health insurance or health savings accounts listed in Line 39.</b></p>	\$ 150.00									
37	<p><b>Other Necessary Expenses: telecommunication services.</b> Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service—such as pagers, call waiting, caller id, special long distance, or internet service—to the extent necessary for your health and welfare or that of your dependents. <b>Do not include any amount previously deducted.</b></p>	\$ 300.00									
38	<p><b>Total Expenses Allowed under IRS Standards.</b> Enter the total of Lines 24 through 37.</p>	\$ 4,889.43									

## B22C (Official Form 22C) (Chapter 13) (04/10)

**Subpart B: Additional Expense Deductions under § 707(b)****Note: Do not include any expenses that you have listed in Lines 24-37**

39	<p><b>Health Insurance, Disability Insurance, and Health Savings Account Expenses.</b> List the monthly expenses in the categories set out in lines a-c below that are reasonably necessary for yourself, your spouse, or your dependents.</p> <table border="1" data-bbox="188 338 1172 483"> <tr> <td>a.</td> <td>Health Insurance</td> <td>\$</td> <td><b>579.97</b></td> </tr> <tr> <td>b.</td> <td>Disability Insurance</td> <td>\$</td> <td></td> </tr> <tr> <td>c.</td> <td>Health Savings Account</td> <td>\$</td> <td></td> </tr> </table> <p>Total and enter on Line 39</p> <p><b>If you do not actually expend this total amount,</b> state your actual total average monthly expenditures in the space below:</p> <p>\$ _____</p>	a.	Health Insurance	\$	<b>579.97</b>	b.	Disability Insurance	\$		c.	Health Savings Account	\$		<p>\$ <b>579.97</b></p>
a.	Health Insurance	\$	<b>579.97</b>											
b.	Disability Insurance	\$												
c.	Health Savings Account	\$												
40	<p><b>Continued contributions to the care of household or family members.</b> Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. <b>Do not include payments listed in Line 34.</b></p>	<p>\$</p>												
41	<p><b>Protection against family violence.</b> Enter the total average reasonably necessary monthly expenses that you actually incur to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court.</p>	<p>\$</p>												
42	<p><b>Home energy costs.</b> Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. <b>You must provide your case trustee with documentation of your actual expenses, and you must demonstrate that the additional amount claimed is reasonable and necessary.</b></p>	<p>\$</p>												
43	<p><b>Education expenses for dependent children under 18.</b> Enter the total average monthly expenses that you actually incur, not to exceed \$147.92* per child, for attendance at a private or public elementary or secondary school by your dependent children less than 18 years of age. <b>You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards.</b></p>	<p>\$ <b>240.00</b></p>												
44	<p><b>Additional food and clothing expense.</b> Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National Standards, not to exceed 5% of those combined allowances. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) <b>You must demonstrate that the additional amount claimed is reasonable and necessary.</b></p>	<p>\$</p>												
45	<p><b>Charitable contributions.</b> Enter the amount reasonably necessary for you to expend each month on charitable contributions in the form of cash or financial instruments to a charitable organization as defined in 26 U.S.C. § 170(c)(1)-(2). <b>Do not include any amount in excess of 15% of your gross monthly income.</b></p>	<p>\$ <b>150.00</b></p>												
46	<p><b>Total Additional Expense Deductions under § 707(b).</b> Enter the total of Lines 39 through 45.</p>	<p>\$ <b>969.97</b></p>												

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

## B22C (Official Form 22C) (Chapter 13) (04/10)

## Subpart C: Deductions for Debt Payment

47	<b>Future payments on secured claims.</b> For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 47.				
	Name of Creditor	Property Securing the Debt	Average Monthly Payment	Does payment include taxes or insurance?	
a.	Bank Of America Bankrupt	Residence	\$ 1,200.93	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
b.	Asheville Savings Bank	Automobile (1)	\$ 65.24	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
c.	See Continuation Sheet		\$ 386.74	<input type="checkbox"/> yes <input type="checkbox"/> no	
	Total: Add lines a, b and c.				\$ 1,652.91
48	<b>Other payments on secured claims.</b> If any of debts listed in Line 47 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 47, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page.				
	Name of Creditor	Property Securing the Debt	1/60th of the Cure Amount		
a.			\$		
b.			\$		
c.			\$		
	Total: Add lines a, b and c.				\$
49	<b>Payments on prepetition priority claims.</b> Enter the total amount, divided by 60, of all priority claims, such as priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. <b>Do not include current obligations, such as those set out in Line 33.</b>				\$
50	<b>Chapter 13 administrative expenses.</b> Multiply the amount in Line a by the amount in Line b, and enter the resulting administrative expense.				
a.	Projected average monthly Chapter 13 plan payment.		\$		
b.	Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)		X		
c.	Average monthly administrative expense of Chapter 13 case		Total: Multiply Lines a and b		\$
51	<b>Total Deductions for Debt Payment.</b> Enter the total of Lines 47 through 50.				\$ 1,652.91
<b>Subpart D: Total Deductions from Income</b>					
52	<b>Total of all deductions from income.</b> Enter the total of Lines 38, 46, and 51.				\$ 7,512.31



## B22C (Official Form 22C) (Chapter 13) (04/10)

**Part V. DETERMINATION OF DISPOSABLE INCOME UNDER § 1325(b)(2)**

53	<b>Total current monthly income.</b> Enter the amount from Line 20.	\$ <b>7,125.00</b>															
54	<b>Support income.</b> Enter the monthly average of any child support payments, foster care payments, or disability payments for a dependent child, reported in Part I, that you received in accordance with applicable nonbankruptcy law, to the extent reasonably necessary to be expended for such child.	\$															
55	<b>Qualified retirement deductions.</b> Enter the monthly total of (a) all amounts withheld by your employer from wages as contributions for qualified retirement plans, as specified in § 541(b)(7) and (b) all required repayments of loans from retirement plans, as specified in § 362(b)(19).	\$															
56	<b>Total of all deductions allowed under § 707(b)(2).</b> Enter the amount from Line 52.	\$ <b>7,512.31</b>															
57	<p><b>Deduction for special circumstances.</b> If there are special circumstances that justify additional expenses for which there is no reasonable alternative, describe the special circumstances and the resulting expenses in lines a-c below. If necessary, list additional entries on a separate page. Total the expenses and enter the total in Line 57. You must provide your case trustee with documentation of these expenses and you must provide a detailed explanation of the special circumstances that make such expenses necessary and reasonable.</p> <table border="1"> <thead> <tr> <th></th> <th>Nature of special circumstances</th> <th>Amount of expense</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> <tr> <td>c.</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="2">Total: Add Lines a, b, and c</td> <td>\$</td> </tr> </tbody> </table>		Nature of special circumstances	Amount of expense	a.		\$	b.		\$	c.		\$	Total: Add Lines a, b, and c		\$	\$
	Nature of special circumstances	Amount of expense															
a.		\$															
b.		\$															
c.		\$															
Total: Add Lines a, b, and c		\$															
58	<b>Total adjustments to determine disposable income.</b> Add the amounts on Lines 54, 55, 56, and 57 and enter the result.	\$ <b>7,512.31</b>															
59	<b>Monthly Disposable Income Under § 1325(b)(2).</b> Subtract Line 58 from Line 53 and enter the result.	\$ <b>-387.31</b>															

**Part VI. ADDITIONAL EXPENSE CLAIMS**

59	<p><b>Other Expenses.</b> List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.</p> <table border="1"> <thead> <tr> <th></th> <th>Expense Description</th> <th>Monthly Amount</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> <tr> <td>c.</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="2">Total: Add Lines a, b and c</td> <td>\$</td> </tr> </tbody> </table>		Expense Description	Monthly Amount	a.		\$	b.		\$	c.		\$	Total: Add Lines a, b and c		\$
	Expense Description	Monthly Amount														
a.		\$														
b.		\$														
c.		\$														
Total: Add Lines a, b and c		\$														

**Part VII. VERIFICATION**

60	<p>I declare under penalty of perjury that the information provided in this statement is true and correct. <i>(If this a joint case, both debtors must sign.)</i></p> <p>Date: <b>August 11, 2010</b> Signature: <b>/s/ Wilbur Brainerd Mosseller, Jr.</b> (Debtor)</p> <p>Date: <b>August 11, 2010</b> Signature: <b>/s/ Lorraine Gibson Mosseller</b> (Joint Debtor, if any)</p>	
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**CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME****Continuation Sheet - Future payments on secured claims**

Name of Creditor	Property Securing the Debt	60-month	Does payment
		Average Pmt	include taxes or insurance?
<b>Asheville Savings Bank</b>	<b>Automobile (2)</b>	<b>136.40</b>	<b>No</b>
<b>Bank Of America Bankruptcy Dept.</b>	<b>Residence</b>	<b>250.34</b>	<b>No</b>



### **Calculation of Current Monthly Income**

The following numbers are based on a review of all **available** payment advices. Where a payment advice was not available an estimated number has been used.

#### **Wilbur Brainerd Mosseller, Jr.**

February 2010	Monthly gross business income	\$42,826.59
March 2010	Monthly gross business income	\$63,570.47
April 2010	Monthly gross business income	\$48,844.41
May 2010	Monthly gross business income	\$38,138.48
June 2010	Monthly gross business income	\$40,006.93
July 2010	Monthly gross business income	\$55,485.11
Total income for CMI calculations		\$288,871.99

#### **Lorraine Gibson Mosseller**

February 2010	WCCA paycheck 2.19.10	\$ 191.55
	Polk County paycheck 2.26.10	\$ 450.00
March 2010	WCAA paycheck 3.5.10	\$ 881.13
	WCAA paycheck 3.19.10	\$ 676.81
April 2010	WCAA paycheck 4.5.10	\$1,194.00
	WCAA paycheck 4.20.10	\$1,123.76
May 2010	WCAA paycheck 5.5.10	\$1,098.22
	WCAA paycheck 5.20.10	\$ 711.04
June 2010	Polk County paycheck 6.30.10	\$ 405.00
July 2010	No income	
Total income for CMI calculations		\$6,731.51

## IN RE:

Case No. **10-40731****Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson**Chapter **13**

Debtor(s)

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 198,864.00		
B - Personal Property	Yes	4	\$ 79,695.16		
C - Property Claimed as Exempt	Yes	2			
D - Creditors Holding Secured Claims	Yes	2		\$ 179,393.59	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$ 107,328.12	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			\$ 49,707.93
J - Current Expenditures of Individual Debtor(s)	Yes	2			\$ 47,116.98
TOTAL		18	\$ 278,559.16	\$ 286,721.71	

IN RE:

Case No. **10-40731****Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson**Chapter **13**

Debtor(s)

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ <b>0.00</b>
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ <b>0.00</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ <b>0.00</b>
Student Loan Obligations (from Schedule F)	\$ <b>0.00</b>
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ <b>0.00</b>
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ <b>0.00</b>
<b>TOTAL</b>	\$ <b>0.00</b>

**State the following:**

Average Income (from Schedule I, Line 16)	\$ <b>49,707.93</b>
Average Expenses (from Schedule J, Line 18)	\$ <b>47,116.98</b>
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20 )	\$ <b>7,125.00</b>

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ <b>0.00</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ <b>0.00</b>	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ <b>0.00</b>
4. Total from Schedule F		\$ <b>107,328.12</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ <b>107,328.12</b>



**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H U S B A N D , W I F E , J O I N T , O R C O M M U N I T Y	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.		Cash on hand	H	25.00
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account - Bank of America	J	100.39
		Checking account - Carolina First Bank	J	38.60
		Checking account - Carolina First Bank	J	5.61
		Checking account - First Citizens Bank	J	30.24
		Checking account - Macon Bank	J	1,100.00
		Checking account with daughter, Sarah M. Mosseller - First Citizens Bank	J	400.00
		Corporate checking account - Carolina First Bank; no funds in account but to the extent there are any before account is closed by debtors it is asserted that any funds would be a corporate asset	J	0.00
		Corporate checking account for Mosseller Construction LLC - Carolina First Bank; bal \$1,157.08 which debtors assert is corporate asset	J	0.00
		Corporate checking account for Mosseller Construction LLC - Macon Bank est bal \$9,800 which debtors assert are corporate asset	J	0.00
		Female debtor is custodian on her 17 year old son's checking account at First Citizens Bank; son's monthly Social Security benefits of \$1,330 are deposited into this account; debtor has no interest in funds which currently total \$13,945.50		0.00
		Share account - State Employees Credit Union	W	33.51
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, include audio, video, and computer equipment.		Washer 500; dryer 500; stove 100; refrig 200; sm kit appl 10; table & 4 chairs 25; freezer 100; dishwasher 10; misc hhgs/linens 5; 3 tvs 25; 2 vcr/dvds 5; couch & chair 150; misc furn 25; queen bed, dresser & chest 600; bunkbeds & chest 100; queen bed & chest 75; loft bed & chest 50; push mower 5; grill 15; misc tools 2	J	2,502.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Arrowhead collection	J	1,000.00
6. Wearing apparel.		Children's clothing		75.00
		Clothing & accessories	H	100.00

**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
7. Furs and jewelry.		<b>Clothing &amp; accessories</b>	<b>W</b>	<b>100.00</b>
		<b>Misc jewelry</b>	<b>W</b>	<b>100.00</b>
		<b>Wedding band</b>	<b>H</b>	<b>25.00</b>
		<b>Wedding rings</b>	<b>W</b>	<b>200.00</b>
8. Firearms and sports, photographic, and other hobby equipment.		<b>Rifle, pistol &amp; shotgun 500; digital camera 10; misc sport equip 500</b>	<b>J</b>	<b>1,010.00</b>
9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Term policy thru New York Life FV \$300,000; spouse is beneficiary</b>	<b>H</b>	<b>1.00</b>
		<b>Term policy thru New York Life FV \$300,000; spouse is beneficiary</b>	<b>W</b>	<b>1.00</b>
10. Annuities. Itemize and name each issue.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		<b>401k plan invested with American Funds in Haddon House Food Products, Inc. 401k Savings Plan; bal as of 3.31.10</b>	<b>W</b>	<b>8,042.81</b>
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	<b>X</b>			
16. Accounts receivable.		<b>Accounts receivable \$18,018.33 but debtors assert corporate asset to the extent collectable</b>		<b>0.00</b>
17. Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		<b>Male debtor is an heir in his grandfather's estate; estimated inheritance is listed herein but to be amended as necessary when estate is settled</b>	<b>H</b>	<b>9,000.00</b>

**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.		General contractor's license which is renewed annually	J	0.00
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		1/2 ownership with corporation in 2005 Ford Explorer 4dr, 4wd, 120,000 mi, auto, leather, sunroof; FMV \$13,500	J	6,750.00
		1998 Honda Civic 4dr, 200,000 mi, auto, cloth; VIN 2HGEJ6679WH601228	H	4,125.00
		2000 Nissan Frontier 4wd, 180,000 mi, auto, pl, pw, cloth; VIN 1N6ED27YX355394	W	7,650.00
		2004 Chevrolet Kodiak crew cab, 150,000 mi, 4dr (value per dealer)	J	10,000.00
		2004 Ford F550 XL Super Duty dump truck, 118,317 mi; VIN 1FDAF57P84EA88660	H	6,000.00
		2005 Nissan Pathfinder, 150,000 mi, auto, pl, pw, leather, sunroof, 2wd; VIN 5N1AR18U35C742482	J	15,975.00
		2006 Schwing 10' concrete pump trailer; VIN 171530358	H	5,000.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		4 computers 2,000; 2 desks & 2 chairs 500; multi-function copier 100; 2 bookcases 100; all deemed corporate assets		0.00
29. Machinery, fixtures, equipment, and supplies used in business.		Transit 10,000; wood saws & concrete saws 10,000; rebar bender 3,000; jack hammer 1,500; drills 1,200; hand tools 3,000; wheel barrows 500; cement mixer 2,500; concrete finisher 2,500; concrete forms 175,000; Trackhoe 1,000; Bobcat 1,000; 2002 24' McElrath trailer 1,000; all values are replacement value and the debtors assert these are corporate assets		0.00
30. Inventory.	X			
31. Animals.		2 birds, 2 dogs & cat	J	300.00
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
35. Other personal property of any kind not already listed. Itemize.		<p>If the value claimed above is equal to or greater than the actual full value of the asset as stated in Schedules A and B or if it is greater than debtor's equity in such asset as shown by Schedules A, B and D, then the debtor(s) claim the full value of the asset as entirely exempt for the purposes of the rules as established in Schwab v Reilly</p> <p>Potential personal injury settlement including, but not limited to, any claims for medical bills and lost wages</p> <p>Potential Social Security benefits</p> <p>Potential Unemployment</p> <p>Potential VA benefits</p> <p>Potential Workman's Compensation</p> <p>The debtor(s) elects all exemptions to which the debtor(s) is entitled under applicable state or federal law as of the date of the filing of the petition at the place where the debtor(s) domicile has been located for the 730 days immediately preceding the date of the filing of the petition, or if the debtor's domicile has not been located in a single state for such 730 day period, the place in which the debtor's domicile was located for 180 days immediately preceding the 730 day period or for a longer portion of the 180 day period than in any other place. If no state exemptions are available, the debtor(s) elects all exemptions under 11 U.S.C. § 522. The debtor(s) does not claim any exemption in any amount greater than permitted by the applicable exemption law.</p>	J	<p>0.00</p> <p>1.00</p> <p>1.00</p> <p>1.00</p> <p>1.00</p> <p>1.00</p> <p>0.00</p>
<b>TOTAL</b>				<b>79,695.16</b>



**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor elects the exemptions to which debtor is entitled under:  
(Check one box)☐ Check if debtor claims a homestead exemption that exceeds \$146,450. \*☐ 11 U.S.C. § 522(b)(2)☒ 11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
<b><u>SCHEDULE A - REAL PROPERTY</u></b>			
Home and .70 acre lot at 50 Skylar Drive, Lynn, North Carolina as described in that certain Deed as recorded in Book 245 at Page 90 of the Polk County Public Registry	G.S. § 1C-1601(a)(1)	31,568.82	198,864.00
<b><u>SCHEDULE B - PERSONAL PROPERTY</u></b>			
Cash on hand	G.S. § 1-362	25.00	25.00
Checking account - Bank of America	G.S. § 1-362	100.39	100.39
Checking account - Carolina First Bank	G.S. § 1-362	38.60	38.60
Checking account - Carolina First Bank	G.S. § 1-362	5.61	5.61
Checking account - First Citizens Bank	G.S. § 1-362	30.24	30.24
Checking account - Macon Bank	G.S. § 1-362	1,100.00	1,100.00
Checking account with daughter, Sarah M. Mosseller - First Citizens Bank	G.S. § 1-362	400.00	400.00
Share account - State Employees Credit Union	G.S. § 1-362	33.51	33.51
Washer 500; dryer 500; stove 100; refrig 200; sm kit appl 10; table & 4 chairs 25; freezer 100; dishwasher 10; misc hhgs/linens 5; 3 tvs 25; 2 vcr/dvds 5; couch & chair 150; misc furn 25; queen bed, dresser & chest 600; bunkbeds & chest 100; queen bed & chest 75; loft bed & chest 50; push mower 5; grill 15; misc tools 2	G.S. § 1C-1601(a)(4)	2,502.00	2,502.00
Arrowhead collection	G.S. § 1C-1601(a)(2)	1,000.00	1,000.00
Children's clothing	G.S. § 1C-1601(a)(4)	75.00	75.00
Clothing & accessories	G.S. § 1C-1601(a)(4)	100.00	100.00
Clothing & accessories	G.S. § 1C-1601(a)(4)	100.00	100.00
Misc jewelry	G.S. § 1C-1601(a)(2)	100.00	100.00
Wedding band	G.S. § 1C-1601(a)(4)	25.00	25.00
Wedding rings	G.S. § 1C-1601(a)(4)	200.00	200.00
Rifle, pistol & shotgun 500; digital camera 10; misc sport equip 500	G.S. § 1C-1601(a)(2)	1,010.00	1,010.00
Term policy thru New York Life FV \$300,000; spouse is beneficiary	Art. X § 5 Of Con., G.S. §§ 1C-1601(a)(6)	100%	1.00
Term policy thru New York Life FV \$300,000; spouse is beneficiary	Art. X § 5 Of Con., G.S. §§ 1C-1601(a)(6)	100%	1.00
401k plan invested with American Funds in Haddon House Food Products, Inc. 401k Savings Plan; bal as of 3.31.10	ERISA qualified plan	8,042.81	8,042.81
1998 Honda Civic 4dr, 200,000 mi, auto, cloth; VIN 2HGEJ6679WH601228	G.S. § 1C-1601(a)(3) G.S. § 1C-1601(a)(2)	3,500.00 625.00	4,125.00
2004 Ford F550 XL Super Duty dump	G.S. § 1C-1601(a)(5)	4,000.00	6,000.00

\* Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

IN RE Mosseller, Wilbur Brainerd Jr. &amp; Mosseller, Lorraine Gibson

Case No. 10-40731

Debtor(s)

(If known)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**  
**(Continuation Sheet)**

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
truck, 118,317 mi; VIN 1FDAF57P84EA88660			
2005 Nissan Pathfinder, 150,000 mi, auto, pl, pw, leather, sunroof, 2wd; VIN 5N1AR18U35C742482	G.S. § 1C-1601(a)(3) G.S. § 1C-1601(a)(2)	3,500.00 5,696.18	15,975.00
2 birds, 2 dogs & cat	G.S. § 1C-1601(a)(4)	300.00	300.00
Potential personal injury settlement including, but not limited to, any claims for medical bills and lost wages	G.S. § 1C-1601(a)(8) and In re Cynthia Thompson MDNC 04-50229 8.18.04	100%	1.00
Potential Social Security benefits	U.S.C. 42 § 407	100%	1.00
Potential Unemployment	G.S. § 96-17(c) & 42 USC § 407	100%	1.00
Potential VA benefits	U.S.C. 38 § 5301(a)/ 45 USC § 352	100%	1.00
Potential Workman's Compensation	G.S. § 97-21	100%	1.00

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. <i>(See Instructions Above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 2364 Asheville Savings Bank P.O. Box 652 Asheville, NC 28802	H	1st lien on 2005 Ford Explorer; purch 2006; to be paid as valued with 5.25% int  VALUE \$ 6,750.00				3,914.26	
ACCOUNT NO. 9669 Asheville Savings Bank P.O. Box 652 Asheville, NC 28802	H	1st lien on 2004 Chevy Kodiak; purch 2006; to be paid as valued with 5.25% int  VALUE \$ 10,000.00				8,184.15	
ACCOUNT NO. 8816 Bank Of America Bankruptcy Dept. Dept NC4-105-03-14 P.O. Box 26012 Greensboro, NC 27420	J	1st d/t on debtors' residence; mo pymt \$1,200.93; int rate 7.84%  VALUE \$ 198,864.00				69,371.18	
ACCOUNT NO. BAC Home Loan Servicing 450 American St. Simi Valley, CA 93065-6285		Assignee or other notification for: Bank Of America Bankruptcy Dept.  VALUE \$					
Subtotal (Total of this page)						\$ 81,469.59	\$
Total (Use only on last page)						\$	\$

1 continuation sheets attached

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	DEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. <b>0079</b> <b>Bank Of America Bankruptcy Dept.</b> <b>Dept NC4-105-03-14</b> <b>P.O. Box 26012</b> <b>Greensboro, NC 27420</b>	<b>J</b>	<b>2nd d/t on debtors' residence; mo pymt</b> <b>\$250.34; int rate 2.99%</b>  VALUE \$ <b>198,864.00</b>				<b>97,924.00</b>	
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
Subtotal (Total of this page)						\$ <b>97,924.00</b>	\$
Total (Use only on last page)						\$ <b>179,393.59</b>	\$

Sheet no. 1 of 1 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

(Report also on  
Summary of  
Schedules.)

(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)

Debtor(s)

(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0 continuation sheets attached

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. <i>(See Instructions Above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 3762 Bank Of America P.O. Box 1390 Norfolk, VA 23501	W	Credit service - disputed as to the amount of late fees, over limit fees, interest rate, late charges or any other additional fees or charges				11,783.00
ACCOUNT NO. Carolina First Bank 104 S. Main St. Greenville, SC 29601	J	Deficiency on corporate debt for which personal guaranty was signed; no remaining collateral securing debt				93,514.12
ACCOUNT NO. Edwin W. Bowden, Esq. Bowden & Laws, PC 119 Brookstown Ave., Suite 401 Winston-Salem, NC 27101		Assignee or other notification for: Carolina First Bank				
ACCOUNT NO. Polk County Clerk Of Court File 10-CVS-148 P.O. Box 38 Columbus, NC 28722		Assignee or other notification for: Carolina First Bank				
Subtotal (Total of this page)						\$ 105,297.12
Total (Use only on last page of the completed Schedule F. Report also on the Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)						\$

1 continuation sheets attached

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBETOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>Ward &amp; Smith, PA</b> <b>BB&amp;T Building, Suite 1403</b> <b>1 West Pack Square</b> <b>Asheville, NC 28801</b>		<b>Assignee or other notification for:</b> <b>Carolina First Bank</b>				
ACCOUNT NO. 6666 <b>GEMB - Care Credit</b> <b>P.O. Box 981439</b> <b>EI Paso, TX 79998-1439</b>	H	<b>Credit service - disputed as to the amount of late fees, over limit fees, interest rate, late charges or any other additional fees or charges</b>				<b>1,369.00</b>
ACCOUNT NO. <b>GE Money Bank</b> <b>Bankruptcy Dept.</b> <b>P.O. Box 103104</b> <b>Roswell, GA 30076</b>		<b>Assignee or other notification for:</b> <b>GEMB - Care Credit</b>				
ACCOUNT NO. 4586 <b>GEMB - Lowes</b> <b>P.O. Box 981064</b> <b>EI Paso, TX 79998</b>	W	<b>Credit service - disputed as to the amount of late fees, over limit fees, interest rate, late charges or any other additional fees or charges</b>				<b>662.00</b>
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						

Sheet no. 1 of 1 continuation sheets attached to  
 Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal  
 (Total of this page) \$ **2,031.00**

Total  
 (Use only on last page of the completed Schedule F. Report also on  
 the Summary of Schedules, and if applicable, on the Statistical  
 Summary of Certain Liabilities and Related Data.) \$ **107,328.12**

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
<div>Any Creditor With Arbitration Clause Provisions</div> <div>LEAF Financial Corp. One Commerce Square 2005 Market St., 15th Floor Philadelphia, PA 19103</div>	<div>Debtor specifically rejects any contractual provisions relating to claim arbitration for any debts as indicated in the schedules attached hereto and incorporated hering by reference</div> <div>Lease on 2006 Schwing 10' concrete pump trailer; to be paid direct outside plan by corporation</div>



SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

Debtor's Marital Status <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S): <b>Daughter</b> <b>Son</b> <b>Daughter</b> <b>Son</b>	AGE(S): <b>23</b> <b>17</b> <b>12</b> <b>11</b>
EMPLOYMENT: DEBTOR		SPOUSE
Occupation <b>General Contractor</b> Name of Employer <b>Mosseller Construction, LLC</b> How long employed <b>27 years</b> Address of Employer <b>P.O. Box 77</b> <b>Lynn, NC 28750</b>		<b>See Schedule Attached</b>

	DEBTOR	SPOUSE
1. Current monthly gross wages, salary, and commissions (prorate if not paid monthly)	\$ _____	\$ <b>1,692.08</b>
2. Estimated monthly overtime	\$ _____	\$ _____
3. SUBTOTAL	\$ <b>0.00</b>	\$ <b>1,692.08</b>
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and Social Security	\$ _____	\$ <b>129.48</b>
b. Insurance	\$ _____	\$ _____
c. Union dues	\$ _____	\$ _____
d. Other (specify) _____	\$ _____	\$ _____
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <b>0.00</b>	\$ <b>129.48</b>
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ <b>0.00</b>	\$ <b>1,562.60</b>
7. Regular income from operation of business or profession or farm (attach detailed statement)	\$ <b>48,145.33</b>	\$ _____
8. Income from real property	\$ _____	\$ _____
9. Interest and dividends	\$ _____	\$ _____
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ _____	\$ _____
11. Social Security or other government assistance (Specify) _____	\$ _____	\$ _____
12. Pension or retirement income	\$ _____	\$ _____
13. Other monthly income (Specify) _____	\$ _____	\$ _____
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ <b>48,145.33</b>	\$ _____
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ <b>48,145.33</b>	\$ <b>1,562.60</b>
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15)	\$ <b>49,707.93</b>	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:  
**None**

Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)****Continuation Sheet - Page 1 of 1****EMPLOYMENT: DEBTOR**

Occupation

Name of Employer

How long employed

Address of Employer

**SPOUSE****Substitute Teacher****Polk County Administrative Unit****2 years****P.O. Box 638****Columbus, NC 28722**

Occupation

Name of Employer

How long employed

Address of Employer

**Western Carolina Community Action Inc****6 months****220 King Creek Blvd.****Hendersonville, NC 28792**

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	
a. Are real estate taxes included? Yes No <input checked="" type="checkbox"/>		
b. Is property insurance included? Yes No <input checked="" type="checkbox"/>		
2. Utilities:		
a. Electricity and heating fuel	\$	286.00
b. Water and sewer	\$	80.00
c. Telephone	\$	
d. Other Telephone & Internet	\$	210.00
Cell Telephone(s)	\$	355.00
3. Home maintenance (repairs and upkeep)	\$	50.00
4. Food	\$	625.00
5. Clothing	\$	100.00
6. Laundry and dry cleaning	\$	60.00
7. Medical and dental expenses	\$	150.00
8. Transportation (not including car payments)	\$	270.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	95.00
10. Charitable contributions	\$	150.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	
b. Life	\$	120.00
c. Health	\$	579.97
d. Auto	\$	
e. Other	\$	
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) See Schedule Attached	\$	191.24
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	
b. Other	\$	
14. Alimony, maintenance, and support paid to others	\$	
15. Payments for support of additional dependents not living at your home	\$	300.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	42,804.77
17. Other See Schedule Attached	\$	690.00
	\$	
	\$	

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.

\$47,116.98

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document:

None

20. STATEMENT OF MONTHLY NET INCOME		
a. Average monthly income from Line 15 of Schedule I	\$	49,707.93
b. Average monthly expenses from Line 18 above	\$	47,116.98
c. Monthly net income (a. minus b.)	\$	2,590.95

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)****Continuation Sheet - Page 1 of 1**

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Taxes (DEBTOR)

<b>Ad Valorem Taxes On Real Estate Holdings</b>	<b>141.66</b>
<b>Personal Property Taxes On Auto(s)</b>	<b>25.00</b>
<b>Tags &amp; Inspections</b>	<b>24.58</b>

## Other Expenses (DEBTOR)

<b>Personal Care (Haircuts, Etc)</b>	<b>100.00</b>
<b>Pet Food &amp; Care</b>	<b>50.00</b>
<b>School Lunches &amp; Expenses</b>	<b>240.00</b>
<b>Extra-Curricular Expenses</b>	<b>100.00</b>
<b>Gifts &amp; Misc Personal Expenses</b>	<b>75.00</b>
<b>Food At Work</b>	<b>125.00</b>

IN RE Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson

Case No. 10-40731

Debtor(s)

(If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 20 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: August 11, 2010 Signature: /s/ Wilbur Brainerd Mosseller, Jr.  
Wilbur Brainerd Mosseller, Jr.

Debtor

Date: August 11, 2010 Signature: /s/ Lorraine Gibson Mosseller  
Lorraine Gibson Mosseller

(Joint Debtor, if any)

[If joint case, both spouses must sign.]

### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (*total shown on summary page plus 1*), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

*[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]*

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.*

**IN RE:**Case No. **10-40731****Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson**Chapter **13**

Debtor(s)

**BUSINESS INCOME AND EXPENSES****FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS** (Note: ONLY INCLUDE information directly related to the business operation.)**PART A - GROSS BUSINESS INCOME FOR THE PREVIOUS 12 MONTHS:**

1. Gross Income For 12 Months Prior to Filing: \$ \_\_\_\_\_

**PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:**2. Gross Monthly Income: \$ **48,145.33****PART C - ESTIMATED FUTURE MONTHLY EXPENSES:**

3. Net Employee Payroll (Other Than Debtor)	\$ <b>17,479.62</b>
4. Payroll Taxes	\$ _____
5. Unemployment Taxes	\$ _____
6. Worker's Compensation	\$ _____
7. Other Taxes	\$ <b>71.50</b>
8. Inventory Purchases (Including raw materials)	\$ <b>18,240.32</b>
9. Purchase of Feed/Fertilizer/Seed/Spray	\$ _____
10. Rent (Other than debtor's principal residence)	\$ _____
11. Utilities	\$ <b>1,150.57</b>
12. Office Expenses and Supplies	\$ <b>407.65</b>
13. Repairs and Maintenance	\$ <b>438.78</b>
14. Vehicle Expenses	\$ <b>2,342.44</b>
15. Travel and Entertainment	\$ <b>45.00</b>
16. Equipment Rental and Leases	\$ _____
17. Legal/Accounting/Other Professional Fees	\$ _____
18. Insurance	\$ <b>348.03</b>
19. Employee Benefits (e.g., pension, medical, etc.)	\$ _____
20. Payments to be Made Directly by Debtor to Secured Creditors for Pre-Petition Business Debts (Specify):	\$ <b>400.00</b>
<b>LEAF Financial</b>	<b>400.00</b>

21. Other (Specify): \$ **1,880.86**  
**See Continuation Sheet**

22. Total Monthly Expenses (Add items 3-21) \$ **42,804.77****PART D - ESTIMATED AVERAGE NET MONTHLY INCOME**23. **AVERAGE NET MONTHLY INCOME** (Subtract Item 22 from Item 2) \$ **5,340.56**

Debtor(s)

**BUSINESS INCOME AND EXPENSES**

Continuation Sheet - Page 1 of 1

Other:

Interest Expense	245.00
Postage Expense	45.00
Shop Supplies	650.18
Finance Charges	477.33
Business Licenses & Permits	250.00
Professional Fees	180.35
Education & Training	33.00



IN RE:

Case No. **10-40731**

**Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson**

Chapter **13**

Debtor(s)

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>325,000.00</b>	<b>2010 Estimated gross business income</b>
<b>8,000.00</b>	<b>2010 Estimated YTD employment income (wife)</b>
<b>4,095.00</b>	<b>2009 Employment income (wife)</b>
<b>9,229.00</b>	<b>2009 Net income to debtors from business</b>
<b>30,304.00</b>	<b>2008 Net business income to debtors</b>

#### 2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>18,401.00</b>	<b>2009 Pension disbursement</b>
<b>25.00</b>	<b>2008 Interest income</b>

### 3. Payments to creditors

Complete a. or b., as appropriate, and c.

None ☒ a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850.\* If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

None ☒ c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Carolina First Bank vs Mosseller Construction LLC, Wilbur Mosseller and Lorraine Mosseller 10-CVS-148	Civil Summons & Complaint	Polk County Superior Court	Pending

None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 5. Repossessions, foreclosures and returns

None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 6. Assignments and receiverships

None ☒ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 7. Gifts

None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
Grace Community Church Tryon, NC	church	2010	est \$1,050

## 8. Losses

None ☒ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
<b>Gardner Law Offices</b>		<b>\$274 Chapter 13 filing fee</b>
<b>P.O. Box 1000</b>		
<b>Shelby, NC 28151-1000</b>		
<b>Institute For Financial Literacy</b>		<b>\$50 credit counseling fee</b>
<b>P.O. Box 1842</b>		
<b>Portland, ME 04101</b>		

## 10. Other transfers

None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
<b>Barbara Burrell</b>	<b>Jan 2010</b>	<b>.95 acre lot at 1130 State Road (tax value \$9,025) and 1.28 acre lot at 1136 State Road (tax value \$34,880)</b>
<b>mother</b>		

**Properties were transferred in satisfaction of approximately \$43,000 debt owed**

None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

## 11. Closed financial accounts

None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 12. Safe deposit boxes

None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 13. Setoffs

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 14. Property held for another person

None ☒ List all property owned by another person that the debtor holds or controls.

## 15. Prior address of debtor

None ☒ If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

# 16. Spouses and Former Spouses

None ☒ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

# 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None ☒ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None ☒ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None ☒ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

# 18. Nature, location and name of business

None ☐ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL- SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Mosseller Construction, LLC	26-1142827	fdba Mosseller Masonry LLC P.O. Box 77 Lynn, NC 28750	Construction	1983 - present
Mosseller Equipment, LLC	26-1173604	P.O. Box 77 Lynn, NC 28750	Holding company	

None ☒ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

- None ☐ a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

**H & R Block**  
**112 N. Trade Ave.**  
**Landrum, SC 29359**

- None ☒ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

- None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME AND ADDRESS

**Wilbur & Lorraine Mosseller**  
**P.O. Box 77**  
**Lynn, NC 28750**

- None ☒ d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of the case by the debtor.

#### 20. Inventories

- None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

- None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

#### 21. Current Partners, Officers, Directors and Shareholders

- None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

- None ☒ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

#### 22. Former partners, officers, directors and shareholders

- None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

- None ☒ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

#### 23. Withdrawals from a partnership or distributions by a corporation

- None ☒ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

#### 24. Tax Consolidation Group

- None ☒ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

**25. Pension Funds.**

None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: **August 11, 2010** Signature /s/ Wilbur Brainerd Mosseller, Jr.  
of Debtor **Wilbur Brainerd Mosseller, Jr.**

Date: **August 11, 2010** Signature /s/ Lorraine Gibson Mosseller  
of Joint Debtor **Lorraine Gibson Mosseller**  
(if any)

0 continuation pages attached

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.*

IN RE:

Case No. **10-40731**

**Mosseller, Wilbur Brainerd Jr. & Mosseller, Lorraine Gibson**

Chapter **13**

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: **August 11, 2010**

Signature: **/s/ Wilbur Brainerd Mosseller, Jr.**  
**Wilbur Brainerd Mosseller, Jr.**

Debtor

Date: **August 11, 2010**

Signature: **/s/ Lorraine Gibson Mosseller**  
**Lorraine Gibson Mosseller**

Joint Debtor, if any

Mosseller, Wilbur Brainerd Jr.  
P.O. Box 77  
Lynn, NC 28750

Bank Of America  
P.O. Box 1390  
Norfolk, VA 23501

Ward & Smith, PA  
BB&T Building, Suite 1403  
1 West Pack Square  
Asheville, NC 28801

Mosseller, Lorraine Gibson  
P.O. Box 77  
Lynn, NC 28750

Bank Of America Bankruptcy Dept.  
Dept NC4-105-03-14  
P.O. Box 26012  
Greensboro, NC 27420

Gardner Law Offices  
P.O. Box 1000  
Shelby, NC 28151-1000

Carolina First Bank  
104 S. Main St.  
Greenville, SC 29601

NC Department Of Revenue  
P.O. Box 25000  
Raleigh, NC 27640-0002

Edwin W. Bowden, Esq.  
Bowden & Laws, PC  
119 Brookstown Ave., Suite 401  
Winston-Salem, NC 27101

NC Dept Of Revenue  
P.O. Box 1168  
Raleigh, NC 27602

GE Money Bank  
Bankruptcy Dept.  
P.O. Box 103104  
Roswell, GA 30076

U.S. Attorney's Office  
Room 207 US Courthouse  
100 Otis St.  
Asheville, NC 28801

GEMB - Care Credit  
P.O. Box 981439  
El Paso, TX 79998-1439

US Attorney's Office  
Suite 1700 Carillon Bldg  
227 W. Trade St.  
Charlotte, NC 28202

GEMB - Lowes  
P.O. Box 981064  
El Paso, TX 79998

IRS  
P.O. Box 21126  
Philadelphia, PA 19114

LEAF Financial Corp.  
One Commerce Square  
2005 Market St., 15th Floor  
Philadelphia, PA 19103

Asheville Savings Bank  
P.O. Box 652  
Asheville, NC 28802

Polk County Clerk Of Court  
File 10-CVS-148  
P.O. Box 38  
Columbus, NC 28722

BAC Home Loan Servicing  
450 American St.  
Simi Valley, CA 93065-6285

Polk County Tax Collector  
P.O. Box 308  
Columbus, NC 28722